R E M A R K S

Claims 11-30 remain in the case. Claims 11, 16, 21, and 26 have been amended to overcome the 112 Rejection referred to below.

Applicants request reconsideration, withdrawal of the rejections, and allowance of the claims on the basis of the above amendments and following comments.

Amendment of the Specification

By the above amendment, Examples 6 and 7 have been amended to correct an obvious typographical error (*i.e.*, changing "the" to "then") in that a passage reading in part "This bromine chloride was the co-fed . . ." obviously should read "This bromine chloride was then co-fed . . .". These amendments are supported by the text of Example 3, which correctly reads "This bromine chloride was then co-fed . . .". Also, by the above amendment, the next to last sentence of Example 7 has been amended to correct an obvious clerical, grammatical error. In particular, the phrase ". . . was transferred to an polyethylene bottle . . ." has been amended to read ". . . was transferred to a polyethylene bottle . . .". Approval of these obvious corrective amendments is solicited.

Claim Rejection – 35 USC § 112, Second Paragraph

The Action suggests that the phrase "at least about 13" is unclear. However, reference to that phrase itself is very easy to understand. First of all, all one has to do is decide what numerical value is encompassed by the term "about". Once this is ascertained, the "at least" portion of the phrase clearly specifies that the "about" value, which has been ascertained, constitutes a minimum value and that values above the "about" value are encompassed by the claim. In other words "at least about" clearly means "about X or greater". No other reasonable interpretation is possible. However, in order to expedite prosecution, the phrase "at least about [X]" has been replace by the equivalent phrase "about [X] or greater". Accordingly, reconsideration and withdrawal of this rejection is requested.

For the record, it is to be noted that by making the foregoing amendment, no limitation whatsoever has been made in the claims as the phraseology now used means exactly the same thing as the formerly used phrase.

Claim Rejections – 35 USC § 102, and 35 USC § 103

In the Office Action, Claims 11-30 were rejected under 35 U.S.C. 102(b) as anticipated by Goodenough (U.S. 3,558,503). In addition, Claims 11-30 were rejected under 35 U.S.C. 103(a) as being unpatentable under Goodenough (U.S. 3,558,503) in view of various documents identified at the bottom of page 6 of the Action.

Reconsideration and withdrawal of these rejections is requested as it appears that, from the text of the rejections themselves, the rejections were intended to apply to former Claims 6-9, which have been cancelled. It appears on the basis of a careful reading of the Action that the only statement therein in support of the 102 or 103 Rejections that is applicable to present Claims 11-30 is that "The instant claims do not recite that the instant composition comprises N-chlorosulfamate." This appears in the "Response to Applicants' argument" at page 12, lines 4-5 of the Action. However, the following sentence, which reads "BrCl serves as a bromine source to produce bromosulfamate not chlorosulfamate" is inaccurate under the pH conditions specified in all of Claims 11-30. Please see in this connection, the Second Declaration of B. Gary McKinnie submitted as Appendix A of Applicants' prior response.

It is respectfully submitted, therefore, that neither the above 102 rejection nor the above 103 rejection is applicable to the present claims. Accordingly, reconsideration and withdrawal of the rejections, and allowance of the claims are respectfully submitted.

Non-Statutory Double Patenting Rejections

In the Action, non-statutory double patenting rejections are set forth based on:

-- Claims 1-20 of U.S. Pat. No. 6,652,889
-- Claims 1-5 of U.S. Pat. No. 7,087,251
-- Claims 1-5 of U.S. Pat. No. 7,195,782
-- Claims 1-18 of commonly-owned Application No. 09/819,153
-- Claims 1-39 of commonly-owned Application No. 10/282,290
-- Claims 1-39 of commonly-owned Application No. 10/703,311

-- Claims 1-42 of commonly-owned Application No. 10/327,563

-- Claims 1-19 of commonly-owned Application No. 10/492,073

Of the above commonly-owned applications, Application No. 09/819,153 has been abandoned, and thus obviously the double patenting rejection cannot apply to that application. Although it appears that the double patenting rejections may not have been with reference to the claims of the present application as they stood prior to this response, nevertheless, to expedite prosecution Terminal Disclaimers are enclosed relative to the above three patents and the last four copending applications. It is to be noted that submission of these Terminal Disclaimers does not constitute, by implication or otherwise, acknowledgement or agreement that the present application is obvious over the claims of each of the above listed patents and last four copending applications. Rather, as stated above, this submission of Terminal Disclaimers is to expedite prosecution of this application which has been pending in the Office since February 2001.

Consequently, the double patenting rejections are inapplicable.

In view of the above remarks, and the arguments presented in Applicants' prior response, which arguments are incorporated herein by reference, it is submitted that claims 11-30 are patentable over the prior art. Reconsideration and allowance are respectfully solicited.

If matters remain requiring further consideration, the Examiner is respectfully requested to telephone the undersigned so that such matters may be discussed and, if possible, can be promptly resolved.

Respectfully submitted,
/Brenda C. Harvey/
Brenda C. Harvey

Reg. No. 50,405
McGlinchey Stafford, PLLC
4703 Bluebonnet Blvd.
Baton Rouge, LA 70809

Telephone: 225-291-4600
Facsimile: 225-291-4606